

## REMARKS

Upon entry of the forgoing amendments, claims 55, 57-61, and 63-81 are pending in this application with claims 55, 60, 70, and 79 being independent claims. No claim is allowed.

Claims 55, 60, and 79 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Claims 56 and 62 have been newly canceled, without prejudice. The limitations of claim 56 have been added to claims 55 and 79. Similarly, the limitations of claim 62 have been added to claim 60. This was the most convenient way to achieve allowance of claims 55, 57-61, 63-69, and 79-81 and is not intended to generate any prosecution history estoppels since claims 56 and 62 were deemed to be allowable below.

Claims 57, 63, and 64 have been amended to correct claim dependency to harmonize with the cancellations of claims 56 and 62, respectively.

### Objection to Claims

Claims 56, 57, and 62-68 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. With this paper, the limitations of claim 56 have been added to claim 55 and the limitations of claim 62 have been added to claim 60. Further claims 56 and 62 have been cancelled and claims 57, 63, and 63 have had their dependency corrected. This has the effect of rewriting the objected to claims in independent form as necessary for removal of the objection and the allowance of the claims.

### The Double Patenting Rejection

Claims 55-81 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-50 of US Patent No. 5,576,727.

Attached hereto is a terminal disclaimer in compliance with 37 C.F.R. § 1.321(c) signed by attorney of record David Ritchie (Reg. No. 31,562) disclaiming any term beyond that of U.S. Patent No. 5,576,727 which is commonly owned with this application. The rejection is thereby rendered moot.

The 35 U.S.C. § 102 Rejection

Claims 55, 58-61, 69, and 79-81 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by *Noll* (US 3,919,691). This rejection is respectfully traversed.

Generally, the Office Action states that *Noll* discloses all of the claim elements and limitations. However with this paper, independent claims 55, 60, and 79 have been amended to include elements and limitations that are not disclosed or suggested by the cited prior art.

As to dependent claims 58, 59, 61, 69, 80, and 81, the arguments set forth above apply equally here. Since the base claims are allowable, then the dependent claims must be allowable.

In view of the above, it is respectfully asserted that the claims are now in condition for allowance.

Request for Allowance

In view of the foregoing, reconsideration and an early allowance of this application are earnestly solicited.

If any matters remain which could be resolved in a telephone interview between the Examiner and the undersigned, the Examiner is invited to call the undersigned to expedite resolution of any such matters. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,  
THELEN, REID, & PRIEST LLP

Dated: June 9, 2005



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